

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: R. MAYR ET AL EXAMINER: K. E. PETERSON
SERIAL NO.: 09/674,205 GROUP: 3724
FILED: OCTOBER 27, 2000
FOR: MILL SAW

RESPONSE

MAIL STOP NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office letter of March 20, 2003, the rejection of claim 6 under 35 U.S.C. 103(a) as being unpatentable over Wallers, the primary reference, in view of Sakurai et al, both of record, is respectfully traversed.

It is an essential feature of applicants' mill saw that an electronic signal indicating a preset position of rotation of the slider-crank drive be transmitted to the controlling system of the motor, as set forth at (f) in claim 6. In describing the Wallers reference, the Examiner has compared the reference's control disk 39 with the claimed "stored computer control program" and the claimed "signal transmitter" to Wallers' inlet conduit from the pump to the motor. Whether or

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K. E. Peterson
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not it may be obvious to "update old mechanical machinery with modern electronics," applicants' signal transmitter 17 is provided to indicate to the motor that a preset position of rotation of the slider-crank drive has been reached. In Walters, only control valve 21 controls the slider-crank drive. This control valve has a rotor fixedly connected to the slider-crank drive. There is no suggestion of a signal transmitter, whether mechanical or electronic, for indicating a preset position of rotation of the slider-crank drive to control valve 21, so that the motor 11 may actuate a conveying step which is independent of the angle of rotation of the slide-crank drive. Thus, the claimed arrangement fundamentally differs from Wallers, even if Wallers were electronically "updated."

Nor does the Sakurai et al patent suggest the claimed arrangement. Their tachometer generator 41 monitors the speed of the saw blade, as properly mentioned by the Examiner, which is not suggestive either of Wallers' control valve or his inlet conduit from the pump to the motor. In other words, placing Sakurai et al's tachometer generator into Wallers' system does not produce features (e) and (f) of claim 6. It is not a matter of merely replacing a mechanical by an electronic system, as alleged by the Examiner, but of devising a mill saw in which the control of the motor for intermittently driving the feed conveyor for the stock to be cut is not dependent on

the position of rotation of the slider-crank drive because the speed of the slider-crank drive changes little during a single stroke of the saw frame, due to the inertia of the moving mass. Therefore, it is necessary only to provide a stored computer program for the conveying steps adapted to the frequency of the cutting strokes.

In view of the above explanations, it is believed to be clear that no conceivable combination of the two references suggests the features (e) and (f) of claim 6, whether these features are mechanical or electronic. A more detailed discussion of the prior art and its relevance to the claimed invention has been provided in the communication dated February 27, 2003 and, to avoid redundancy, these comments are incorporated herein by way of reference.

A sincere effort having been made to overcome the rejection of claim 6, favorable reconsideration and allowance of this claim are respectfully solicited. Upon allowance of claim 6, the allowance of claims 7, 9 and 10 dependent thereon is believed to be in order. The allowance of claim 8 has been gratefully noted.

Respectfully submitted,

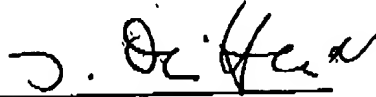
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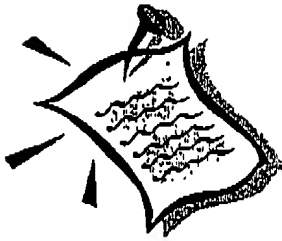
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I hereby certify that this correspondence is being sent by telefax to the US PTO, Group 3724, on June 20, 2003. Fax No.: 1-703-872-9302



Ingrid Mittendorf

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DATE: June 20, 2003

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TO: Examiner: K. E. Peterson

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FROM: COLLARD & ROE, P.C.

RE: U.S. SER. NO. 09/674,205
Group: 3724
Applicants: R. Mayr et al

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JUN 20 2003

GROUP 3700

If you do not receive all of the pages, please call the above phone number as soon as possible.

MESSAGE:

Dear Sir:

Enclosed please find a Response to the Office action of March 20, 2003. Please confirm receipt.

Respectfully submitted,

Kurt Kelman

KK:im

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